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Of Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff,

v.

LAMAR LEE STANTON,

Defendant.

Case No. CR 09-75-02-RE
SENTENCING MEMORANDUM

Defendant Lamar Lee Stanton, through his counsel, submits the following Sentencing Memorandum in support of the Court imposing a 37-month term of imprisonment followed by 3 years supervised release.

Introduction

Lamar Lee Stanton is scheduled for sentencing on May 4, 2010 at 2:30 p.m., on his plea of guilty to the charge of Coercion and Enticement, a Class C Felony, in violation of Title 18, United States Code, Sections 2422(a). Mr. Stanton entered a plea of guilty on December 15, 2009 pursuant to a plea agreement made under Rule 11(c)(1)(C).

This crime carries a maximum sentence of twenty years imprisonment, \$250,000 fine, a three year term of supervised release and a mandatory fee assessment of \$100. Mr. Stanton was arrested on state charges on January 15, 2009 and held in state custody. The state dismissed the charges on March 10, 2009 for the case to be prosecuted

federally. Mr. Stanton has been in federal custody since he was transferred to federal custody on March 11, 2009.

Plea Agreement

After lengthy and thoughtful negotiations, the parties agreed that an appropriate sentence for Mr. Stanton's conduct was 37 months imprisonment and 3 years supervised release. The parties entered a corresponding plea agreement under Rule 11(c)(1)(C). Mr. Stanton plead guilty to an information charging him with Coercion and Enticement under 18 U.S.C. § 2422. In return, the government agreed to dismiss Count 7 of the Indictment (Sex Trafficking - 18 U.S.C. § 1591) at sentencing.

Guideline Calculation

The parties stipulate to the following Guideline calculation. The base offense level for Coercion and Enticement, under Guideline § 2G1.1(a)(2) is 14. A 4-level increase applies under §2G1.1(b)(1) because the offense involved fraud and coercion. A 2-level increase applies under §2G1.1(d)(1) because the offense involved more than one victim. After a 3-level reduction to credit Mr. Stanton's acceptance of responsibility, the adjusted offense level is 17. With a criminal history of II or III, the resulting advisory Guideline range is 27-33 or 30-37 months custody.

Conclusion

The parties agree that when taking into account all of the relevant sentencing factors, an appropriate sentence in this case is 37-months imprisonment followed by 3 years supervised release. The U.S. Probation Office agrees and recommends the Court impose the sentence agreed to by the parties.

DATED this 29th day of April 2010.

HOEVET, BOISE & OLSON, P.C.

/s/ Celia Howes
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Of Attorneys for Lamar Lee Stanton